

ARGUMENTS / REMARKS**Objection to the specification**

The Examiner objected to certain portions of the specification for improper usage of trademark terms. The specification has been amended accordingly, by properly acknowledging any trademarks.

Objection to the claims

The Examiner objected to claims 11 and 19. Appropriate correction has been made by the instant amendment.

Rejection under 35 U.S.C. § 101

The Examiner rejected claims 19-23 as being directed to non-statutory subject matter, because "*as recited the system can be reasonable interpreted a software per se...*" (OA at 3). With the present amendment, claim 19 has been amended to clarify that the claimed invention is not software *per se*, but rather a distributed computing system, tangibly embodying thereon the listed elements. Claims 20-23 depending from claim 19, are also remedied by this amendment.

Rejection under 35 U.S.C. § 102

Claims 1-25 were rejected pursuant to 35 U.S.C. 102(e), as being anticipated by U.S. Patent No. 6,804,818 issued to Codella et al. ("Codella"). Applicant respectfully traverses the Examiner's rejection, and respectfully submits that none of the pending claims are anticipated by Codella. Codella fails to disclose either explicitly or inherently "each and every limitation" of the pending claims – the threshold requirement for an anticipation rejection.

Codella discloses mechanisms for sending and receiving **anonymous** invocations by integrating software based on Object-Oriented Middleware with software based on Message-Oriented Middleware. One object of Codella's invention is to permit an object-oriented component, (i.e. a message bean), to perform anonymous invocations that are serviced by other message beans or by message-oriented servers in such a way that the requesting

message bean is unaware of whether the server of the anonymous invocation is either a message bean or a message-oriented server. Thus, the anonymous requests taught by Codella do not identify the recipient-message bean or component. By clear contrast, the invention as embodied by the pending claims, do not involve anonymous invocations. The recipient of a request generated by a component of the present invention is not anonymous – but indeed identifiable.

What follows is a specific analysis and traversal of the Examiner's rejection for each and every pending claim:

With respect to claim 1, Codella does not teach at least the limitation: *"wherein said first publish/subscribe topic is identified by a first property of said second distributed application component."* The Office Action cites Codella at col. 19, lines 37-54, as allegedly disclosing this limitation. However, that portion of Codella merely discloses the deployment descriptor properties for the input ports of a message bean, but does not disclose how to identify a publish/subscribe topic for publishing a request originating from a different message bean.

With respect to claim 2, the traversal of claim 1 is hereby incorporated. Furthermore, Codella does not disclose at least the limitation: *"wherein said first property is a type of said second distributed application component"*. The Office Action cites Codella at col. 19, lines 37-54, as allegedly disclosing this limitation. However, that portion of Codella merely discloses the deployment descriptor properties for the input ports of a message bean, but provide no disclosure for identifying a publish/subscribe topic based on a type of message bean.

With respect to claim 3, the traversal of claim 2 is hereby incorporated. Additionally, Codella does not disclose the limitation: *"wherein said recipient is identified by a second property of said second distributed application component included within said request"*. The Office Action cites Codella at col. 11, lines 6-11, as allegedly disclosing this limitation. However, nothing in that portion of Codella suggests that an identification property of the

second component is included within the request generated by the first component. In fact, including an identification property of the recipient component in the request is contradictory to Codella's objective of providing an anonymous messaging system.

With respect to claim 4, the traversal of claim 3 is hereby incorporated. Furthermore, Codella does not disclose the limitation: "*wherein said second property is a unique identifier of said second distributed application component*". The Office Action cites Codella at col. 13, lines 13-17, as allegedly disclosing this limitation. However, unlike claim 4, that portion of Codella does not disclose that a unique identifier is included within the request generated by the message bean.

With respect to claim 5, the traversal of claim 2 is hereby incorporated. Furthermore, Codella does not disclose at least the limitation: "*wherein said first publish/subscribe reply topic is identified by a type of said first distributed application component*". The Office Action cites Codella at col. 19, lines 37-54, as allegedly disclosing this limitation. However, that portion of Codella merely discloses the deployment descriptor properties for the input ports of a message bean, but does not provide any disclosure for how to identify reply topics for subscribing a given message bean – let alone basing the identification on component type.

With respect to claim 6, the traversal of claim 5 is hereby incorporated.

With respect to claim 7, the traversal of claim 1 is hereby incorporated. Furthermore, Codella does not disclose at least the limitations: (a) "*wherein said second publish/subscribe request topic is identified by a type of said first distributed application component*"; (b) "*wherein said second publish/subscribe reply topic is identified by a type of said third distributed application component*". The Office Action cites Codella at col. 19, lines 37-54, as allegedly disclosing these limitations. However, that portion of Codella merely discloses the deployment descriptor properties for the input ports of a message bean, but provides no disclosure for how to identify a publish/subscribe topic for which to subscribe a given message bean – let alone using component types.

With respect to claims 8-10, the traversal of claim 7 is hereby incorporated.

With respect to claim 11, the traversal of claim 1 is hereby incorporated. Furthermore, Codella does not disclose the limitations: “*receiving a type of said first distributed application component, a name of said first distributed application component, a list of all other types of distributed application components that will send request or replies to said first distributed application component, and a list of all other types of distributed application components that will be receiving requests or replies from said first distributed application component*”. The Office Action cites Codella at col. 7, lines 30-67, as allegedly disclosing these limitations. However, that portion of Codella does not disclose that the type of any application component is specified while registering the first component. The deployment descriptor in Codella merely specifies the name of the input and output ports of the message bean and the names of the message bean’s method and the message proxy’s method, but does not specify the type of any message bean.

With respect to claims 12-14, the traversal of claim 11 is hereby incorporated.

With respect to claim 15, the traversal of claim 11 is hereby incorporated. Furthermore, Codella does not disclose creating a publisher or a subscription to a publish/subscribe topic based on a type of component or message bean. None of the portions of Codella cited in the Office Action discloses topics based on component types.

With respect to claims 16 and 17, the traversal of claim 15 is hereby incorporated.

With respect to claim 18, the traversal of claim 1 is hereby incorporated.

With respect to claims 19-23, Codella does not disclose Codella at least publish/subscribe topics that are based on component types. The Office Action cites Codella at col. 7 lines 1-12, as allegedly having this disclosure. However, that portion of Codella merely deals with attributes of a “message bean listener” – not with attributes of a “publish/subscribe topic”.

With respect to claim 24 and 25, Codella does not disclose: "*translating a message formulated according to requests/reply semantics into publish/subscribe communications*". The Office Action cites col. 15 lines 61-63, for showing that a JMS destination can be a publish/subscribe topic. However, nothing in that portion (or any other portion in Codella) suggests either explicitly or by inference, that a message that was originally formulated according to request/reply semantics can be translated to publish/subscribe communications. Moreover, Codella is devoid of any disclosure that would enable such translation. By contrast the translation of claims 24-25 are enabled according to novel implementations disclosed in the present specification.

Conclusion

In view of the foregoing arguments, Applicant respectfully submits that the pending claims are in condition allowance. Applicant respectfully requests reconsideration and reversal of the outstanding rejections. Should an interview be helpful in advancing the present application – Applicant respectfully requests the Examiner to contact the undersigned at the number listed below.

Dated: September 5, 2007

Respectfully submitted,

Signature: /Benzion A. Wachsman/

Benzion A. Wachsman for Assignee *

Tel.: (718) 928-2213

Fax: (718) 504-9671

* Statement under 37 C.F.R. § 3.73(b) is attached

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STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: Inceptia LLC

Application No./Patent No.: 10/672,795 Filed/Issue Date: September 26, 2003

Entitled: Implementing request/reply programming semantics using publish/subscribe middleware

Inceptia LLC, a Delaware limited liability corporation
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest
(The extent (by percentage) of its ownership interest is _____ %)

in the patent application/patent identified above by virtue of either:

A. ☐ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

OR

B. ☒ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as follows:

1. From: Philip Rousselle To: Advent Networks, Inc.
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☐ Additional documents in the chain of title are listed on a supplemental sheet.

☒ As required by 37 CFR 3.73(b)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, to record the assignment in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

<u>/Benzion A. Wachsman/</u>	<u>9-5-2007</u>
Signature	Date
<u>Benzion A. Wachsman, General Manager</u>	<u>718-928-2213</u>
Printed or Typed Name	Telephone Number
<u></u>	
Title	

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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